



Patent

Attorney Docket No. GEMS8081.193

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Toth et al.
Serial No. : 10/605,789
Filed : 10/27/2003
For : METHOD AND APPARATUS OF
RADIOGRAPHIC IMAGING WITH AN
ENERGY BEAM TAILORED FOR A
SUBJECT TO BE SCANNED
Group Art No. : 2882
Examiner : Chih-Cheng Glen Kao

CERTIFICATION UNDER 37 CFR 1.8(a) and 1.10

I hereby certify that, on the date shown below, this correspondence is being:

Mailing☐ deposited with the US Postal Service in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450**37 CFR 1.8(a)****37 CFR 1.10**☐ with sufficient postage as first class mail ☐ As "Express Mail Post Office to Addressee" Mailing Label No.**Transmission**☒ transmitted by facsimile to Fax No.: (571) 273-2885 addressed to the Patent and Trademark Office.Date: 5-19-06

Signature

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**COMMENTS ON STATEMENT
OF REASONS FOR ALLOWANCE**

Dear Sir:

Responsive to the Notice of Allowability mailed May 5, 2006, Applicant submits the following remarks responsive to the Examiner's Statement of Reasons for Allowance.



U.S. Serial No. 10/605,789

REMARKS

In response to the Examiner's Reasons for Allowance, Applicant believes that a separate Statement of Reasons for Allowance is unnecessary in the present case as the file history sufficiently sets forth the patentable distinctions of claims 1, 2, 5, 6, 8-14 and 16.

The patentability of claims 1, 2, 5, 6, 8-14 and 16 lies in each claim as a whole. That is, a single particular element or feature of a claim does not define the claim's patentability, but rather, it is the combination of elements and the interconnection therebetween that define the invention. The claims cannot be considered to be limited in scope based on this brief statement by the Examiner. Applicant stands by its position previously set forth in the file history.

Applicant does not acquiesce to the accuracy of the Examiner's statements in the Reasons for Allowance nor the Examiner's partial paraphrasing of the claim elements.

Entry of these remarks is appreciated and Applicant cordially invites the Examiner to respond, should the Examiner disagree.

Respectfully submitted,

Timothy J. Ziolkowski
Registration No. 38,368
Direct Dial (262) 376-5139
tjz@zpspatents.com

Dated: 5/19/06
Attorney Docket No.: GEMS8081.193

P.O. ADDRESS:
Ziolkowski Patent Solutions Group, SC
14135 N. Cedarburg Rd.
Mequon, WI 53097-1416
262-376-5170